

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 3:09-00220
)	Judge Trauger
D'ANGELO HARVEY)	
)	


ORDER

The defendant has filed a Motion to Sever Count Three of the Instant Indictment (Docket No. 43), to which the Government has responded in opposition (Docket No. 49). The defendant's motion is **GRANTED** under Rule 14 of the Federal Rules of Criminal Procedure.

It is hereby **ORDERED** that counsel for the parties shall file, by March 3, 2011 a statement as to which of the two trials each prefers to take place first, on April 19, 2011. The court will either be trying Counts One and Two on April 19, 2011 or Count Three on April 19, 2011 and will be setting the other count(s) for trial on a later date.

It is so **ORDERED**.

ENTER this 24th day of February 2011.



ALETA A. TRAUGER
U.S. District Judge